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4 UNITED STATES DISTRICT COURT  
5 WESTERN DISTRICT OF WASHINGTON  
6 AT SEATTLE

7 Kaeli Garner, *et al.*,

8 Plaintiffs,

9 v.

10 Amazon.co, Inc., *et al.*,

11 Defendants.  
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Cause No. C21-0750RSL

ORDER GRANTING IN  
PART PLAINTIFFS'  
MOTION TO COMPEL (Dkt.  
# 231)


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14 This matter comes before the Court on "Plaintiffs' Motion to Compel Custodial Text  
15 Messages Responsive to Plaintiffs' Requests for Production." Dkt. # 231. Having reviewed the  
16 memoranda, declarations, and exhibits submitted by the parties, the Court is persuaded that  
17 defendants acted in good faith when disclosing the data sources that were likely to contain  
18 responsive and discoverable information, as required by the parties' agreement regarding  
19 discovery of electronically-stored information (Dkt. # 89 at ¶ B.2.). Mr. Limp confirmed  
20 defendants' understanding of how Amazon employees communicate: primarily through email,  
21 sometimes via chat communications platforms, and "from time to time text messages." Dkt.  
22 # 231-3 at 4. Mr. Limp is the first Amazon employee to acknowledge using text messages to  
23 conduct business, and his company-issued cell phone was imaged in connection with an  
24 unrelated proceeding. Amazon has offered to review those text messages and produce any  
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ORDER GRANTING PLAINTIFFS'  
MOTION TO COMPEL - 1

1 communications that are responsive to plaintiffs' requests for production. The Court finds that  
2 such a production would be proportional to the needs of the case, but that compelling Amazon to  
3 obtain and review the text messages of other employees (most of whom do not have company-  
4 issued cell phones and have a significant privacy interest in the contents of their personal  
5 communication devices) is not warranted.  
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9 For all of the foregoing reasons, plaintiffs' motion to compel the production of responsive  
10 text messages (Dkt. # 231) is GRANTED in part. Amazon shall, within twenty-one days of the  
11 date of this Order, review the text messages imaged from Mr. Limp's phone and produce all  
12 communications that are responsive to plaintiffs' requests for production.  
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15 Dated this 18th day of June, 2024.  
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18 Robert S. Lasnik  
19 United States District Judge  
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